GREAT AMERICAN ALLIANCE INSURANCE COMPANY, GREAT AMERICAN ASSURANCE COMPANY, GREAT AMERICAN INSURANCE COMPANY AND GREAT AMERICAN INSURANCE COMPANY OF NEW YORK, Plaintiffs,	) ) ) ) ) ) ) ) ) ) ) ) )
	)
v.	)
RISO, INC.,	) 
Defendant.	) Consolidated Civil Action Nos. 04-12260-GAO ) 04-12397-GAO
RISO, INC.,	)
Plaintiff,	)
v.	)
GREAT AMERICAN INSURANCE	, )
COMPANY, GREAT AMERICAN	)
INSURANCE COMPANY OF NEW YORK,	
GREAT AMERICAN ASSURANCE	
COMPANY, and GREAT AMERICAN ALLIANCE INSURANCE COMPANY,	)
Defendants.	) )

## CERTIFICATION PURSUANT TO D. MASS. LOC. R. 16.1(D)(3)

Pursuant to D. Mass. Loc. R. 16.1(D)(3), the undersigned counsel and representatives of Great American Alliance Insurance Company f/k/a American Alliance Insurance Company, Great American Assurance Company f/k/a Agricultural Insurance Company, Great American Insurance Company, and Great American Insurance Company of New York f/k/a American National Fire Insurance Company hereby certify that they

have conferred with a view to (a) establishing a budget for the costs of conducting the full course of the litigation, and (b) considering the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in the District of Massachusetts Local Rules.

John Henry

Authorized Representative

Great American Alliance Insurance

Company f/k/a American Alliance Insurance

Company, Great American Assurance

Company f/k/a Agricultural Insurance

Company, Great American Insurance

Company, and Great American Insurance

Company of New York f/k/a American

National Fire Insurance Company

15 Independence Boulevard

P.O. Box 4602

Warren, NJ 07059-0602

Richard H. Nicolaides, Jr. Mary F. Licari Sarah E. Eversman

BATES & CAREY LLP

191 N. Wacker Drive, Suite 2400

Chicago, IL 60606

Tel:

(312) 762-3210

Fax:

(312) 762-3200

Date: March 25, 2005

167782

Robert A. Kole (BBO#633269) CHOATE HALL & STEWART Exchange Place, 53 State Place Boston, MA 02109-2804

(617) 248-5000 Tel:

Fax: (617) 248-4000

I HEREBY CERTIFY THAT A TRUE COPY OF THE ABOVE DOCUMENT WAS SERVED UPON THE ATTORNEY OF RECORD FOR EACH OTHER PARTY BY MAJE HAND ON: 3125 105